

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

GUARDIAN ON BEHALF OF STUDENT,

v.

LOS ANGELES COUNTY DEPARTMENT  
OF MENTAL HEALTH AND  
CALIFORNIA DEPARTMENT OF  
MENTAL HEALTH.

OAH CASE NO. 2010110500

ORDER OF DISMISSAL OF LOS  
ANGELES COUNTY DEPARTMENT  
OF MENTAL HEALTH

On January 10, 2011, the Office of Administrative Hearings (OAH) received a Stipulation Regarding Exhaustion of Administrative Remedies (Stipulation) and Proposed Order Regarding Exhaustion of Remedies, which requested that OAH dismiss without prejudice the Los Angeles County Department of Mental Health (LACDMH) as party in the above entitled case. It is therefore ordered:

1. LACDMH is dismissed without prejudice as party in the above entitled case.
2. If a court of competent jurisdiction determines that Student has not exhausted his administrative remedies against LACDMH pursuant to the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400 et. seq.) and California education law, Student will need to file a new complaint against LACDMH, and OAH's timelines for an issuance of decision shall commence at that time.
3. Tolling of the applicable statute of limitations for claims under the IDEA and California education law, if Student files a new complaint against LACDMH, will be addressed by way of motion in the subsequent case.
4. This matter shall be known as *Guardian on Behalf of Student v. California Department of Mental Health*.

Dated: January 18, 2011

/s/

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PETER PAUL CASTILLO

Administrative Law Judge

Office of Administrative Hearings